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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/754,708	01/12/2004	Yu-hyok Kim	Q76061	9074
23373 7590 04/29/2008 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			EXAMINER CHIN, RICKY	
			ART UNIT 2623	PAPER NUMBER
			MAIL DATE 04/29/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/754,708

**Applicant(s)**

KIM, YU-HYOK

**Examiner**

RICKY CHIN

**Art Unit**

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed March 11, 2008 have been fully considered but they are not persuasive.

2. **Response to remarks:**

Regarding claim 1, Applicant argues that Sideman does not disclose or suggest at least a client that can "create multimedia editing command file using a multimedia editing program". The examiner disagrees with the applicant's above argument because Sideman clearly states that the client may create the edit list (See [0024]-[0025]) and [0076]-[0080] which discloses that the client uses the interface and produces and creates the edit list. Furthermore, [0024]-[0025] clearly indicates that the content is edited with the edit list when requested. Hence, the client not only is allowed to control the edit list as argued by applicant but creates and produces the edit list as well.

Regarding claim 2, Applicant argues that Sideman does not disclose or suggest at least "wherein the client is operable to download the multimedia editing program from the server". The examiner disagrees with the applicant's above argument because Sideman clearly discloses a virtual video editor control panel displayed on his or her computer screen as well as a flash module downloaded by every client for formatting images (See [0073] and [0084]). Hence, the virtual editor control panel in conjunction with the flash module serves as the multimedia editing program as they are each

downloaded by the client as well as being necessary for any editing to occur and function.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Sideman, US 2002/0116716.

Regarding claim 1, Sideman discloses a client, said client linked with a server through a network, the client operable to upload a video file to one or more network components (See abstract and fig. 1, element 10), create a multimedia editing command file using a multimedia editing program (See [0024]-[0025] and [0076]-[0080]), and request editing of the video file in accordance with the multimedia editing command file (See [0020]-[0024]).

Regarding claim 2, Sideman teaches all of claim limitations of the client as claimed in claim 1, Sideman further teaches of wherein the client is operable to download the multimedia editing program from the server (See abstract, wherein architecture allows a client control over a video editor program running on the server).

Regarding claim 3, Sideman teaches all of the claim limitations of the client as claimed in claim 1, Sideman further teaches of wherein the created multimedia editing command file includes resource information downloaded by the client from the server (See [0126]-[0128], which discloses a media library information structure and editing module information structure).

Regarding claim 4, Sideman teaches all of the claim limitations of the client as claimed in claim 3, Sideman further teaches of wherein the resource information is either one of a video clip or an icon (See fig. 7-10 which present many icons and thumbnails as part of the GUI).

Regarding claim 5, Sideman discloses a server, said server linked to a client through a network (See abstract), the server operable to receive a multimedia editing command file transmitted from the client and edit a video file stored in the server in accordance with the multimedia editing command file (See [0017]-[0024]).

Regarding claim 6, Sideman teaches all of the claim limitations of the server as claimed in claim 5, he further teaches of comprising: a resource database that stores resource information and corresponding resources (See [0081]); a user file uploading module that stores the video file and the multimedia editing command file, which is uploaded from the client to the resource database (See [0020]); a resource information

processing module that transmits the resource information to the client in accordance with a client request ([0127]-[0128]); and a video file editing module that edits the video file by using the corresponding resources in accordance with the multimedia editing command file (See [0127]-[0129]).

Regarding claim 7, Sideman teaches all of the claim limitations of the server as claimed in claim 6, Sideman further teaches of comprising a preview module that allows a user to preview contents of the video file to be edited prior to editing the contents in accordance with the uploaded multimedia editing command file (See Fig 12. which discloses a several preview blocks and functions)

Regarding claim 8, Sideman teaches all of the claim limitations of the server as claimed in claim 6 further he teaches of comprising: a user authentication module that performs authentication of a user connected to the server through the client (See [0027]); and a user database that stores user information to be used when the user authentication is performed (See [0027]) .

Regarding claim 9, Sideman teaches all of the claim limitations of the server as claimed in claim 5, further he teaches of wherein the multimedia editing command file is created by use of a multimedia editing program downloaded by the client from the server (See abstract and [0017]-[0024]).

Regarding claim 10, Sideman teaches all of the claim limitations of the server as claimed in claim 6, further he teaches of wherein the multimedia editing command file includes the resource information, which is downloaded by the client from the server (See [0126]-[0128], which discloses a media library information structure and editing module information structure).

Regarding claim 11, Sideman teaches all of the claim limitations of the server as claimed in claim 10, further he teaches of wherein the resource information is either one of a video clip or an icon (See fig. 7-10 which present many icons and thumbnails as part of the GUI)

Regarding claim 12, Sideman discloses a multimedia file editing system linked to a client through a network, said multimedia file editing system comprising: a client operable to upload a video file to one or more network components (See abstract), create a multimedia editing command file using a multimedia editing program, and request editing of the video file in accordance with the multimedia editing command file (See [0127]-[0128]); and a server operable to receive the multimedia editing command file transmitted from the client and edit the video file stored in the server in accordance with the multimedia editing command file (See Fig. 12 and [0127]).

Regarding claims 13-23, the methods claimed have been analyzed and rejected with regards to claims 1-12 because operating the system of claims 1-12 would

inherently imply said methods.

Regarding claims 24-27, see [0019] wherein another aspect/embodiment of the invention there is provided a computer-readable medium for controlling a processor controlled server operating on a network having client/server architecture which would inherently imply performing said instructions.

### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Contacts***



6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricky Chin whose telephone number is (571) 270-3753. The examiner can normally be reached on M-F 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Koenig can be reached on (571) 272-7296. Customer Service can be reached at (571) 272-2600. The fax number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Ricky Chin/  
Patent Examiner  
AU 2623  
(571) 270-3753  
[Ricky.Chin@uspto.gov](mailto:Ricky.Chin@uspto.gov)

/Andrew Y Koenig/  
Supervisory Patent Examiner, Art Unit 2623